

Barry J. Glickman, Esq.
Bruce S. Goodman, Esq.
ZEICHNER ELLMAN & KRAUSE LLP
1211 Avenue of the Americas
New York, New York 10036
(212) 223-0400
Attorneys for Defendant Citibank, N.A.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ADRIANA JURCEV,

Plaintiff,

- against -

CITIBANK, N.A., BANK OF THAILAND, LTD.,
BANGKOK BANK PUBLIC COMPANY,
LIMITED, P.C. SOLUTIONS, INC. AND
MCAFEE, INC.,

Defendants.

Case No: _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1441, defendant Citibank, N.A. hereby removes to this Court an action styled *Adrian Jurcev v. Citibank, N.A., et al.*, Index No. 609825/2022, nominally pending in the Supreme Court of the State of New York, County of Suffolk (the “State Court Action”).

In support of this removal, Citibank avers:

1. Pursuant to 28 U.S.C. § 1441(a), a defendant may remove to a United States District Court in the district in which a state court action is brought, a civil action of which the district courts have original jurisdiction.

2. Plaintiff filed a summons with notice in the State Court Action (the “Summons and Notice”) in the Office of the County Clerk, County of Suffolk on May 24, 2022. According to the Affirmation of Service filed in the State Court Action, Plaintiff served the Summons with Notice on Citibank on May 26, 2022.

3. On May 27, 2022, Plaintiff filed a Supplemental Summons with Notice (the “Supplemental Summons”) adding Bank of Thailand, Ltd., Bangkok Bank Public Company, Limited, P.C. Solutions, Inc. and McAfee, Inc. as nominal defendants. Upon information and belief, Plaintiff has not served these additional defendants with the Supplemental Summons.

4. Citibank has timely filed this Notice of Removal within 30 days of receipt of the Summons with Notice. See 28 U.S.C. § 1446(b).

5. This Court has original jurisdiction over the State Court Action pursuant to 28 U.S.C. § 1332(a).

6. As alleged in the Summons with Notice, the matter in controversy exceeds the sum or value of \$75,000., exclusive of interest and costs and is between citizens of different states.

7. As alleged in the Summons with Notice, Plaintiff is a resident of New York.

8. Citibank is a national banking association organized under the laws of the United States of America with a main office, as set forth in its articles of association, located in the State of South Dakota. Accordingly, Citibank is a citizen of South Dakota for diversity of citizenship purposes. See *Wachovia Bank, National Association v. Schmidt*, 546 U.S. 303; 126 S. Ct. 941; 163 L. Ed. 2d 797 (2006).

9. The issues raised by the Summons with Notice in the State Court Action have not been joined, and the date on or before which Citibank is required to respond to the Summons and Notice under the New York Civil Practice Law and Rules has not expired.

10. In accordance with 28 U.S.C. § 1446(a), all pleadings in this action are attached as **Exhibit A**. These documents consist of the Summons and Notice, the Supplemental Summons with Notice, and the Affirmation of Service, and constitute all process and pleadings in the State Court Action to date.

11. Pursuant to the foregoing, Citibank files this Notice of Removal, thereby removing the pending State Court Action to the United States District Court for the Eastern District of New York.

12. Pursuant to 28 U.S.C. § 1446(d), Citibank will file Notification of Removal in the Supreme Court of the State of New York, County of Suffolk, together with a true and correct copy of this Notice of Removal.

WHEREFORE, Citibank respectfully requests that this action be removed from the Supreme Court of the State of New York, County of Suffolk, to this Court, that this Court accept jurisdiction of this action, and that this action be placed on the docket of this Court for further proceedings, as though this action had been originally instituted in this Court.

Dated: New York, New York
June 27, 2022

ZEICHNER ELLMAN & KRAUSE LLP

By: /s/ Bruce S. Goodman

Barry J. Glickman
Bruce S. Goodman
Attorneys for Defendant
Citibank, N.A.
1211 Avenue of the Americas
New York, New York 10036
(212) 223-0400

TO: PETER R. SHIPMAN, ESQ. (BY ECF)
Attorney for Plaintiff
42 Fulton Avenue
Smithtown, New York 11787

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